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SUPERIOR COURT OF THE STATE OF CALIFORNIA  
IN AND FOR THE COUNTY SACRAMENTO

FAIR POLITICAL PRACTICES COMMISSION,	)	Case No. 03AS05766
A state agency,	)	
	)	OBJECTION TO DEFENDANTS'
Plaintiff,	)	REQUEST FOR JUDICIAL NOTICE
	)	
v.	)	Date: January 16, 2004
	)	Time: 9:00 A.M.
CAROLINE GETTY, WILD ROSE LLC and DOES	)	Dept: 54
1-20 inclusive,	)	
	)	Complaint filed: October 16, 2003
Defendants.	)	
	)	NO TRIAL DATE SET
	)	
	)	
	)	
	)	

Plaintiff objects to Defendants' Request for Judicial Notice of compilations of limited liability companies (LLCs) which made campaign contributions in 2003 and compilation of stipulations, decisions and orders of the Fair Political Practices Commission regarding LLCs between 2001 and 2003. While the official acts of Secretary of State and the Fair Political Practices Commission may be subject to judicial notice, defendants' compilation of such acts and the deductions that they proffer in that regard are not appropriate subjects for judicial notice. Other than a brief recitation of methodology used to obtain these documents, no foundation as to the thoroughness of compilations or the records that were ostensibly reviewed has been established, nor is there any foundation as to the qualifications of the person making the compilation of records. In short, without more, these are just records of acts from which nothing may be appropriately deduced.

1 "[T]he taking of judicial notice of the official acts of a governmental entity does  
2 not in and of itself require acceptance of the truth of factual matters which might  
3 be deduced therefrom, since in many instances what is being noticed, and thereby  
4 established, is no more than the existence of such acts and not, without supporting  
5 evidence, what might factually be associated with or flow therefrom." (Citations)

6 (*Mangini v. R. J. Reynolds Tobacco Co.* (1994) 7Cal.4th 1057, 1062.)

7 Defendants are not proffering the official records of the Secretary of State and the Fair Political  
8 Practices Commission for their face value, they are proffering an unofficial compilation of records to  
9 support certain deductions by this court. Therefore, plaintiff strongly requests that defendants' Request  
10 for Judicial Notice be denied.

11 Dated: \_\_\_\_\_

\_\_\_\_\_  
Steven Benito Russo  
Jeffery A. Sly  
Attorneys for Plaintiff  
Fair Political Practices Commission